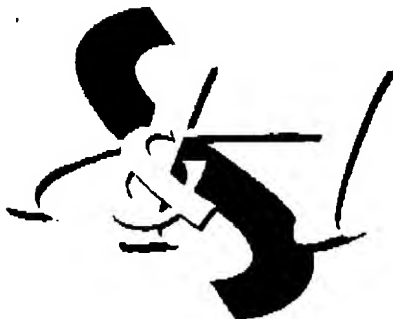


JAN 17 2005



smith &amp; hopen, p.a.

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Fax

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Ernest G. Therkorn - Art Unit 1723	Client:	1139.20.DIV1
Fax:	(703) 872-9310	Pages:	16 including coversheet
Phone:	(571) 272-1149	Date:	January 17, 2005
Re:	USPN 10/057,080	CC:	University of South Florida (Assignee)

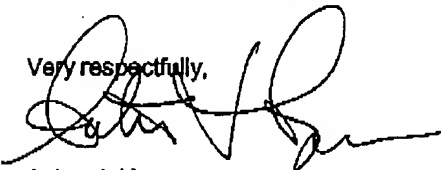
☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Therkorn:

In response to the non-final office action mailed July 16, 2004, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 17, 2005 (2 pages);
- 2) Petition and Fee for Extension of Time with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 17, 2005 (2 pages);
- 3) Credit Card Payment Form PTO-2038 in the amount of \$510.00 (1 page); and
- 4) Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 17, 2005 (10 pages).

Very respectfully,

  
Anton J. Hopen  
Reg. No. 41,849

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/057,080 Confirmation No.: 3341  
Applicant: : Abdul Malik et al.  
Filed: : 01/24/2002  
Art Unit : 1723  
Examiner : Ernest G. Therkorn  
Docket No. : 1372.223.PRC  
Customer No. : 21,901  
For : Sol-Gel Open Tubular ODS Columns with Charged Inner Surface  
for Capillary Electrochromatography

Faxed to Technology Center 1700 at (703) 872-9310  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is an independent inventor. A statement was already filed.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that an extension of term is required. Petition and Fee for Extension of Time is attached hereto.

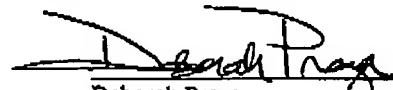
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**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 1723, Attn: Ernest G. Therkorn, (703) 872-9310, on January 17, 2005.

Dated: January 17, 2005

  
Deborah Preza

(Amendment Transmittal—page 1)

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col.1)			(Col. 2)	(Col. 3) SMALL ENTITY		
Claims Remaining After Amendment			Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	13	Minus	22	= 0	x \$25 =	\$0
Indep.	1	Minus	5	= 0	x \$100 =	\$0
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0
Total						Addit. Fee \$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,
  - \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
  - \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



**SIGNATURE OF PRACTITIONER**

Reg. No. 41,849  
Tel. No.: (727) 507-8558

Anton J. Hopen  
Smith & Hopen, P.A.  
15950 Bay Vista Drive, Ste. 220  
Clearwater, FL 33760

(Amendment Transmittal—page 2)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED  
CENTRAL FAX CENTER****JAN 17 2005**

Serial No. : 10/057,080 Confirmation No.: 3341  
Applicant : Abdul Malik et al.  
Filed: : 1/24/2002  
TC/A.U. : 1723  
Examiner : Ernest G. Therkorn  
Docket No. : 1372.223.PRC  
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For : Sol-Gel Open Tubular ODS Columns with Charged Inner Surface for  
Capillary Electrochromatography

Faxed to Technology Center 1700 at (703) 872-9310  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the nonfinal Examiner's Action mailed July 16, 2004, having a shortened statutory period for response that expired October 16, 2004, and an extended statutory period for response set to expire January 16, 2005 (Tuesday, January 18, 2005), the above-identified patent application is amended a first time as follows:

AMENDMENT A  
(37 C.F.R. § 1.111)

Amendment to the claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.